

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Appeal No. 181 OF 2007
IN
Notice of Motion No. 451 of 2007
in
Suit No. 2412 of 2007.

Rizvi Estates & Hotels Private Ltd. ... Appellants

vs.

Khushru Phiroshah Patel & Ors. . Respondents

Mr. D. D. Madon, Senior Advocate i/b. M. J. Shetty for appellants.
Mr. R.A. Dada, Senior Advocate, with Mr. J.P. Sen i/b. Federal &
Rashmikanth for respondents

CORAM: R.M.S. KHANDEPARKAR
AND
D. G. KARNIK JJ.

DATE: April , 4, 2007

P.C.:

1. The learned advocate for the appellants states that the appellants wants to move before the learned Single Judge to bring on record certain facts which were not on record when the impugned order was passed and for that purpose the appellants want to withdraw the appeal at this stage. Accordingly the appeal is allowed to be withdrawn and stands disposed of.
2. In view of the withdrawal of the appeal Notice of Motion No. 451 of 2007 does not survive and stands disposed of.

(R.M.S. KHANDEPARKAR J.)

(D. G. KARNIK J.)